

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

MINI MELTS, INC.

v.

RECKITT BENCKISER, INC.

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Case No. 4:07-cv-271

FINAL JUDGMENT

The Court conducted a trial in this matter from June 19 through June 25, 2009. The proceedings consisted of a jury trial on Plaintiff's claims for trademark infringement and unfair competition and on Defendant's counterclaim for fraudulent procurement of a trademark. The proceedings also included a bench trial on Plaintiff's claim for trademark dilution by tarnishment under Texas Business and Commerce Code § 16.29.¹

On June 25, 2009, the jury returned a verdict that Plaintiff take nothing on its trademark infringement and unfair competition claims. The jury verdict also directed that Defendant take nothing on its counterclaim for fraudulent procurement of a trademark. The Court received, filed, and entered the verdict of record.

Finally, the Court entered Findings of Fact and Conclusions of Law on Plaintiff's claim for trademark dilution under Texas Business and Commerce Code § 16.29. The Court ordered that Plaintiff take nothing on its trademark dilution claim.

In accordance with the jury verdict and the Court's Findings of Fact and Conclusions of Law, it is hereby **ORDERED, ADJUDGED, and DECREED** that judgment is rendered for Defendant on each of Plaintiff's claims, and Plaintiff shall take nothing against the Defendant.

¹Plaintiff abandoned its unjust enrichment claim prior to trial.

Furthermore, is hereby **ORDERED, ADJUDGED, and DECREED** that judgment is rendered for Plaintiff on Defendant's counterclaim, and Defendant shall take nothing against Plaintiff.

It is SO ORDERED.

SIGNED this 22nd day of December, 2009.

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive, flowing style. The first name "Michael" is written in a larger, more prominent script, and "H. Schneider" follows in a similar but slightly smaller script. The signature is positioned above a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE